

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA
2005 MAY -4 PM 3: 35
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UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA

SEAN KING, individually and on behalf §
of other similarly situated employees, §
Plaintiffs, §

FLSA Collective Action

Civil Action No. 8:CV04-318

v. §

WEST CORPORATION, §
Defendant. §

ORDER

On this day came on to be heard Defendant's Motion to Compel Certain Plaintiffs to Respond to Defendant's Discovery Requests, for an Extension of Defendant's Expert Deadline, and for Dismissal of Certain Plaintiffs ("Defendant's Motion to Compel", Document No. 99) and Defendant's Supplement thereto (Document No. 100). Having considered the evidence and pleadings submitted by Defendant and Plaintiffs, the Court finds the Motion should be granted.

It is therefore ordered that each individual Plaintiff identified on Exhibit 2 in the Index of Evidence in support of Defendant's Motion to Compel shall provide sworn responses to Defendant's Interrogatories and Request for Production to Each Consenting Plaintiff, Set I and Defendant's Amended Interrogatories and Request for Production, Set II, as soon as possible but no later than July 1, 2005. The claims of any individual plaintiff that does not

respond to Defendant's discovery requests as set forth above by July 1, 2005 ^{may} ~~shall~~ be
dismissed. ^{AP}

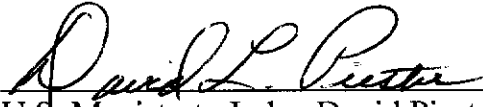
It is further ordered that the claims of the individual plaintiffs listed below are hereby
dismissed with prejudice:

Dana Aikens
Nedra Beckard
Greather Blackmon
Nekisha Byrd
Ronald Byrd III
Elizabeth Gaither
Seslie Gibson
Andrea Guffey
Katherine Harmon
Cynthia Harris
Eureka Kincey
Keenan McGee
Rosa Mildon
Josh Nath
Carletta Oliver
Ruby Pattman
Vanessa Perez
Leah Taylor
Willie Terry
Gregory Wied, Jr.
Marc Desciscio
Steve Hamilton
Heather Harper
Teddy Hart, Jr.
Chris Havlik
Jennifer Johnson
Gary Meyer
Angela Shephard
Anthony Gilbert
Mike Jouhari
Peggy Gordon

Frances Greenwood
Charissa Babcock-Rojas
Janyce Eriksen
Fred Hudson
Sherri Richardson
William Ridley
Donita Wade
Kathy Williams-Lilly

It is further ordered that the deadline for Defendant to designate experts and produce expert reports is extended from April 15, 2005 until May 22, 2005.

Dated this 4th day of May, 2005.


U.S. Magistrate Judge David Piester